

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE EASTERN DISTRICT OF TENNESSEE

3 -----  
4 HANNAH ASHBROOK,  
5 Plaintiff,

6 v.

No. 1:24-CV-00165-CLC-SKL

7 MEIGS COUNTY, TENNESSEE,  
8 ET AL,

9 Defendants.  
10 -----

11 October 14th, 2024  
12 Decatur, Tennessee

13 DEPOSITION OF SAMUEL WHITING  
14  
15  
16 -----

17  
18 **COPY**  
19  
20  
21  
22  
23  
24  
25

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

SAMUEL WHITING

called as a witness, being first duly sworn, was examined and deposed as follows:

EXAMINATION

BY MR. CHANCEY:

Q. What's your name, sir?

A. Samuel Whiting.

Q. Mr. Whiting, have you ever given a deposition before?

A. Yes, sir.

Q. On how many occasions?

A. There's one other occasion back prior to me getting into law enforcement.

Q. Okay. What kind of case was that in?

A. It was a case that I was involved in against THP. I had to go in for depositions on it.

Q. Okay. Well, my name's Franklin Chancey. Have we ever met in person before?

A. No, sir.

Q. You've been served a subpoena to be here today. Is that correct?

A. Yes, sir.

Q. Can you tell us your address, please?

A. My address is 355 Church Street, Decatur, Tennessee.

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 Q. What is your current occupation?

2 A. Current occupation, I'm currently  
3 unemployed. I do work for some family as far as helping  
4 to maintain rental within this area, but I do a little bit  
5 -- I'm more or less handyman at this point in time.

6 Q. Before you were doing that, what was your  
7 job?

8 A. My job prior to that I served with the  
9 Decatur City Police Department for approximately five  
10 years.

11 Q. Do you have any other law enforcement  
12 experience other than for the Decatur City Police  
13 Department?

14 A. No, sir.

15 Q. Do you have a POST certification?

16 A. Yes.

17 Q. Have you been to the police academy?

18 A. Yes, sir.

19 Q. When did you complete the academy?

20 A. Let's see, I believe that was December of  
21 2019, I believe. Might have been '18 actually when I  
22 graduated from that.

23 Q. And so when did you leave your position  
24 with Decatur City?

25 A. I left my position in February of '24.

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 Q. What were the circumstances under which  
2 you left that employment?

3 A. To be honest, part of it was I just wasn't  
4 making enough to sustain my family, pay our bills, stuff  
5 like that. My wife was going through kind of a rocky spot  
6 with her job and so I went into another job where I was  
7 going to be getting paid more.

8 Q. Okay. So you're married.

9 A. Yes.

10 Q. And you have children?

11 A. Two.

12 Q. Two. How old are they?

13 A. Got a seven year old and a four year old.

14 Q. All right. When you were employed at  
15 Decatur City Police Department what were your jobs?

16 A. Conduct traffic stops, do patrol,  
17 investigating -- lightly. We didn't do as much of that.  
18 We did have an investigator; but when I was employed there  
19 during nights, night shift and everything, I did do some  
20 investigating as well.

21 Q. As part of your job, did you have  
22 occasions to come to the Meigs County Courthouse?

23 A. Yes, sir.

24 Q. What types of things would bring you to  
25 the Meigs County Courthouse?

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 was being called over.

2 Q. Okay. So tell me what you recall about  
3 being at the Meigs County Courthouse that day?

4 A. So at the time of my arrival I was  
5 currently standing outside the courthouse -- or, sorry,  
6 not courthouse, the courtroom. I was out there speaking  
7 with I believe it was Chief Malone and I believe there was  
8 another county deputy out there. I can't recall who. When  
9 I got to the top, prior to me speaking with them I did  
10 notice that one of the deputies was going down the elevator  
11 with a prisoner in custody, whom I believe if I remember  
12 correctly was Steven -- I'm forgetting his last -- Kelsey.

13 Q. Okay. Was Steven Kelsey somebody you  
14 knew?

15 A. He I believe at the time he was going to  
16 court over an arrest that I had made on him prior.

17 Q. Do you remember what the charges were?

18 A. I believe it was evading arrest and  
19 driving on revoked license and I believe I recovered some  
20 drugs on him as well.

21 Q. Do you remember what the drugs were?

22 A. I believe it might have been  
23 methamphetamine.

24 Q. Were you at the courthouse because of  
25 anything to do with Mr. Kelsey's case that day?

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 A. At the time I was not aware.

2 Q. All right. So after you arrived at the  
3 courthouse you came upstairs?

4 A. Yes, sir.

5 Q. So tell me what transpired after that.

6 A. So after the deputy took Mr. Kelsey down  
7 the elevator, I was standing outside speaking with some of  
8 the other deputies that were up there and I was approached  
9 by Ms. Ashbrook. She was talking to me asking about her  
10 boyfriend as far as what charges he was being charged with,  
11 which I didn't know at the time as far as whether he was  
12 being booked in over my charges or if it was something  
13 else. I still don't know what all transpired. I think  
14 they may have done a drug test on him as well.

15 Q. Okay.

16 A. But during the time that I was out there  
17 speaking with her she was concerned for him and being a  
18 little bit loud in the hallway, if I remember correctly.  
19 I was trying to advise her as far as where she would have  
20 to go as far as to see about getting him bonded out,  
21 whatnot, and at that point in time it was ordered for her  
22 to be given a drug test.

23 Q. Okay. I'm going to give you an  
24 opportunity to see a video in this case.

25 A. Okay.

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 with somebody.

2 Q. What time was that?

3 A. 11:25.

4 Q. All right. And do you recognize the  
5 person walking in the hallway now?

6 A. Yes, sir. That would be Ms. Ashbrook.

7 Q. What time is that?

8 A. It's 11 -- 11:25.

9 Q. All right.

10 (Video playing.)

11 Q. What is Ms. Ashbrook doing?

12 A. Currently I think she's trying to figure  
13 out why her boyfriend was taken into custody, if I  
14 remember correctly.

15 Q. I apologize. What do you see her doing  
16 is my question.

17 A. She appears to be upset. She's slid down  
18 the wall to the floor standing outside Ms. Petitt's office  
19 on the phone.

20 Q. Who is the officer approaching her?

21 A. Deputy Doyle and Detective Crowe.

22 (Video playing.)

23 Q. Who do you see in the video now?

24 A. Ms. Petitt, Detective Crowe, Ms. Ashbrook,  
25 and myself.

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 Q. If you can, narrate what you see moving  
2 forward.

3 A. Currently all officers involved walk down  
4 towards Ms. Petitt's office. I'm currently standing  
5 outside of the door with Deputy Doyle and I believe they're  
6 going over the test result.

7 (Video playing.)

8 Q. What do you see at this point?

9 A. At this point Ms. Ashbrook appears to be  
10 in custody. I was requested to transport her to the jail.

11 Q. It appears you stopped and talked to  
12 someone there. Who were you talking to?

13 A. I'm not a hundred percent sure. It would  
14 have either been the judge or possibly I think Brian Malone  
15 may be around the corner. I can't remember for certain.

16 Q. Do you recall the judge saying anything?

17 A. Not offhand.

18 Q. Okay. And did you then transport her to  
19 the Meigs County Jail?

20 A. Yes, sir.

21 Q. All right.

22 MR. CHANCEY: Now, if I can get you to  
23 pull up Camera 11.

24 MR. RANDOLPH: Same time stamp to start?

25 MR. CHANCEY: It's a little slightly off,

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693



1 seven or eight seconds difference between them.

2 MR. RANDOLPH: About 11:20?

3 MR. CHANCEY: Yeah.

4 Q. (By Mr. Chancey) Okay, we're going to  
5 start this at 11:19:32 and can we agree that's a camera  
6 looking in the opposite direction?

7 A. Yes, sir.

8 Q. From the one we just looked at on  
9 Camera 9?

10 A. Yes, sir.

11 Q. Let me know what time it is when you  
12 appear.

13 A. Yes, sir.

14 (Video being played.)

15 A. 11:21.

16 Q. 11:21. Is Ms. Ashbrook present at that  
17 time?

18 A. Not at this time.

19 Q. It appears you're having a discussion.

20 A. Yes, sir.

21 Q. With who?

22 A. Judge Stokes.

23 Q. Do you recall what's being said?

24 A. No, sir.

25 (Video playing.)

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 Q. Tell us what you see now.

2 A. Right now I see Deputy Christian  
3 transporting Steven Kelsey to the elevator. He's walked  
4 off to retrieve something or talk to somebody.

5 Q. Is Mr. Kelsey in cuffs?

6 A. Yes, sir.

7 Q. And does he have anything in his hand?

8 A. He has a cell phone in his left hand.

9 Q. Is he stopped in front of the elevator?

10 A. Yes, sir.

11 Q. Tell us what time he enters the elevator.

12 (Video playing.)

13 Q. Did Judge Stokes pass Mr. Kelsey?

14 A. Yes, sir. 11:24.

15 Q. 11:24?

16 A. Yes, sir.

17 Q. Now, where is the stairwell door?

18 A. It's toward the end of the hallway on  
19 the left.

20 Q. I'd like you to tell me what time you  
21 next see Ms. Ashbrook.

22 (Video playing.)

23 A. 11:25.

24 Q. 11:25. Do you know where you are at this  
25 moment?

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 A. Currently I'm standing between the metal  
2 detector and the courtroom doors.

3 Q. What did you observe?

4 A. She appears to be upset. I believe this  
5 is when we advised her that Steven was just taken back to  
6 the jail and at this point in time is when it was advised  
7 that she would be given a drug test, I believe.

8 Q. Who advised that she was going to be given  
9 a drug test?

10 A. Judge Stokes.

11 Q. Did you overhear that?

12 A. Yes, sir.

13 (Video stopped.)

14 Q. All right. You had an opportunity to see  
15 the video.

16 A. Yes, sir.

17 Q. Is this the first time you've seen the  
18 video?

19 A. Yes, sir.

20 Q. Does it refresh your memory about the  
21 sequence of events that occurred?

22 A. It does.

23 Q. All right. So when did you first see  
24 Ms. Ashbrook?

25 A. When she approached toward the metal

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 detector where we were standing.

2 Q. Did you overhear anything she said?

3 A. I don't recall anything she said. I know  
4 that she was upset about Steven being arrested.

5 Q. Well, did someone tell her he'd been  
6 arrested?

7 A. When she approached, I guess asking about  
8 it, she was advised that he was being taken back into  
9 custody and he'd already been brought down the elevator.

10 Q. Do you recall what she said?

11 A. No, not right offhand. I don't remember  
12 details. I just know that she was upset about it.

13 Q. Did she engage in any conduct that you as  
14 a law enforcement officer would have thought violated the  
15 law?

16 A. She may have been a bit loud in the  
17 hallway just as far as getting emotional with it. But  
18 other than her acting up outside the courtroom doors I  
19 can't think -- there's nothing there that I would say that  
20 she physically broke any laws as far as her actions, I  
21 don't believe.

22 Q. Would you have intended to arrest her for  
23 disorderly conduct?

24 A. No, sir.

25 Q. Disturbing the peace?

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 A. No, sir.

2 Q. You related that Judge Stokes said  
3 to drug test her?

4 A. Yes, sir.

5 Q. What happened next?

6 A. At that point in time she was escorted  
7 down to Ms. Petitt's office where they retrieved the drug  
8 test and they proceeded back down to the women's bathroom.

9 Q. So what is the procedure when these tests  
10 are being administered?

11 A. So the procedure with -- most of the time  
12 the individuals that I deal with are the male individuals  
13 and everything and Ms. Petitt typically does all the  
14 female drug tests obviously. We usually stand by just as  
15 security in case things got out of hand when it's a female  
16 suspect.

17 Q. So the female suspect goes into the female  
18 restroom.

19 A. Yes.

20 Q. And where are you located at that point?

21 A. Typically standing in the hallway or  
22 outside the door.

23 Q. From looking at the video where were you  
24 in this case?

25 A. In this case I was still down the hallway

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 next to the courtroom doors, I believe.

2 Q. Could you tell who was at the door?

3 A. I can't recall right offhand.

4 Q. All right.

5 A. I believe she may have been accompanied  
6 by -- I know Ms. Petitt was accompanying her and at one  
7 point or another I know I did walk down there, but I don't  
8 remember how soon after.

9 Q. Okay. Were you present when Ms. Petitt  
10 came out of the bathroom, --

11 A. Yes.

12 Q. -- out of the restroom?

13 A. Yes.

14 Q. Do you recall any discussion that took  
15 place?

16 A. I don't remember any detail as far as  
17 what was said. I do know at one point or another  
18 Ms. Petitt did ask for assistance in the women's bathroom.  
19 We believed that the suspect was giving her trouble; we  
20 didn't know what the details were. After it was -- after  
21 we found out that there wasn't any kind of physical  
22 altercation or anything I believe from memory we exited  
23 and they proceeded with the drug test.

24 Q. When you say giving her trouble, you mean  
25 what?

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1           A.     On occasion with these drug tests there  
2 are suspects that tend to get a little rowdy with it and  
3 they want to try to fight or refuse to do the drug test.  
4 Ms. Petitt was hollering that she needed a deputy down  
5 there from memory.

6           Q.     Okay.

7           A.     That's why we approached the door.

8           Q.     Do you know what had transpired that  
9 required Ms. Petitt to ask somebody to come down there?

10          A.     No. From the sounds of it I think she was  
11 just at that time refusing to do the drug test or arguing.

12          Q.     Okay. So after the test was concluded  
13 what took place?

14          A.     At that point in time they went back to  
15 Ms. Petitt's office where I believe they read the drug  
16 results and everything and she was placed into custody.

17          Q.     Were you present when the results were  
18 read?

19          A.     I was.

20          Q.     Do you recall what they were?

21          A.     I know she tested positive for multiple  
22 different substances.

23          Q.     And I assume that this is a urine test.  
24 Is that right?

25          A.     Yes, sir.

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 A. No, sir.

2 Q. And you're often there when there's a  
3 drug test, correct?

4 A. Yes, sir.

5 Q. You had no reason to dispute the results  
6 from Ms. Ashbrook's drug test, did you?

7 A. No.

8 Q. And when you were informed that Mr. Kelsey  
9 had tested or had a dirty drug test that didn't surprise  
10 you, did it?

11 A. No, sir.

12 Q. You had arrested Mr. Kelsey earlier in the  
13 month for what you said, driving on revoked, evading  
14 arrest, possession of drug paraphernalia, and possession  
15 or something to do with methamphetamine?

16 A. Yes, sir.

17 Q. Did you ever ask or was told what  
18 Mr. Kelsey had tested for at the courthouse?

19 A. No, sir.

20 Q. You weren't in the courtroom at all that  
21 day, were you?

22 A. No, sir.

23 Q. You didn't have an opportunity to observe  
24 Mr. Kelsey or Ms. Ashbrook.

25 A. No, sir.

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693



1 Q. But when she learned about Mr. Kelsey  
2 being arrested you observed her that she was upset about  
3 that, correct?

4 A. Yes, sir.

5 Q. And you said that she was being loud in  
6 the hallway, correct?

7 A. Yes, sir.

8 Q. And when you were transporting her -- did  
9 you know her at all?

10 A. Other than just from past experiences  
11 dealing with Steven. I've never had any actual issues with  
12 her as far as having to arrest her or anything.

13 Q. Dealing with her, how did you deal with  
14 her?

15 A. She's just usually with Steven. I just  
16 recognized her from being with him.

17 Q. Was she with him the night that you  
18 arrested him?

19 A. She did arrive on scene later, yes. She  
20 wasn't in the vehicle at the time, but she showed up while  
21 I was in the process of detaining him.

22 Q. Did she protest you arresting him?

23 A. Yes.

24 Q. How so?

25 A. Just verbally. There was no physical

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 altercation.

2 Q. When you say verbally what did she do?

3 A. I'm sorry?

4 Q. What did she say?

5 A. I can't remember offhand what all she  
6 said. I know there was a lot of curse words thrown my way  
7 as well as that it was a wrongful arrest, that I was  
8 harassing them.

9 Q. None of that was true, was it?

10 A. No, sir.

11 Q. So she was cursing you.

12 A. Yes.

13 Q. She told you that you were wrongfully  
14 arresting him.

15 A. Yes.

16 Q. And she told you, you were harassing them.

17 A. Yes, sir.

18 Q. Other than that particular arrest, you  
19 have dealt with her in the past also?

20 A. Not necessarily dealt with her. I've had  
21 issues --

22 Q. She was around when you dealt with  
23 Steven.

24 A. Yes, sir.

25 Q. Tell me is that more than one other

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 occasion?

2 A. I believe I've had maybe two prior  
3 occasions besides the arrest that I did on Steven.

4 Q. Okay. Were they at their --

5 A. At their residence.

6 Q. At their residence? Was this an  
7 apartment?

8 A. Yes, sir.

9 Q. Tell me about one of those.

10 A. So one of those incidences it was a he  
11 had some form of warrant, I can't remember what it was for,  
12 but I went over there to serve the warrant.

13 Q. Okay. And you said you had interaction  
14 with her.

15 A. Yes.

16 Q. Can you describe that?

17 A. I had a conversation with her at the door  
18 prior to him being arrested.

19 Q. Do you recall what was said?

20 A. No, sir.

21 Q. Do you recall any of her actions?

22 A. No, sir.

23 Q. Did she allow you to serve the warrant?

24 A. Not at the time. Steven came out  
25 willingly shortly after.

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 Q. Okay. So he came out; she didn't let you  
2 in.

3 A. Yes. Yeah, she denied that he was there.  
4 I advised her that I knew he was there and shortly after  
5 he ended up coming out.

6 Q. So she didn't tell you the truth about  
7 whether or not he was there.

8 A. No, sir.

9 Q. In fact, she denied that he was present.

10 A. Yes, sir.

11 Q. But he obviously was present, wasn't he?

12 A. Yes, sir.

13 Q. And he came out and you served him with a  
14 warrant, correct?

15 A. Correct.

16 Q. Did she curse you that day?

17 A. She did.

18 Q. She did?

19 A. Not nearly as bad as this last incident,  
20 but she wasn't a very -- but she was not happy with me  
21 arresting him.

22 Q. When you say not nearly as bad, what do  
23 you mean? Let's talk about the last incident. She cursed  
24 you pretty badly?

25 A. Yes. She was very upset about that

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 incident.

2 Q. And that's when she came to the vehicle?

3 A. She -- I don't remember whose residence it  
4 was. It was off of -- I can't remember the name of the  
5 road -- the road leading to the dump.

6 Q. Okay.

7 A. There's a residence over there I believe  
8 that may be one of his cousins' where he drove to.

9 Q. That's where you arrested him?

10 A. Yes.

11 Q. And that's one of the charges that I  
12 spoke of earlier.

13 A. Yes, sir.

14 Q. And she came to that residence?

15 A. Yes.

16 Q. Do you know why she came to the residence?

17 A. I'm unsure.

18 Q. And that's when she cursed you pretty  
19 badly.

20 A. Yes.

21 Q. And accused you of wrongful arrest and  
22 harassment.

23 A. Yes, sir.

24 Q. Now, the time that you went to serve him  
25 with a warrant did she accuse you of wrongfully arresting

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 him?

2 A. I don't believe she accused me of wrongful  
3 arrest. Like I say, I believe she did say a few choice  
4 words and that she believed that it was BS that I was over  
5 there serving the warrant.

6 Q. Okay.

7 A. But we didn't argue about it too much as  
8 far as all I told her is that he was being arrested. I  
9 told her what he was being arrested for and from there he  
10 was taken into custody.

11 Q. Did she accuse you of harassing them in  
12 any way?

13 A. Not at that point in time.

14 Q. Let's talk about when you say not at that  
15 point in time you're talking about when she was there at  
16 the arrest when you were serving the warrant?

17 A. Not when I was serving the warrant. That  
18 was really -- I believe that may have been our first  
19 interaction together.

20 Q. Okay. Now, you had another interaction  
21 with Mr. Kelsey and Ms. Ashbrook at the same residence?

22 A. The last incident I believe I had out  
23 there, and I don't think they had anything to do with --  
24 I think they may have called, there was an apartment fire  
25 out there.

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 Q. Okay.

2 A. And nothing really transpired there.

3 Q. But you saw Mr. Kelsey and Ms. Ashbrook  
4 there?

5 A. Yes.

6 Q. What were they doing there?

7 A. I believe they may have been the ones who  
8 called in that they saw smoke coming from the apartment.  
9 They were attempting to give me information as far as who  
10 lived there, who may be possibly inside.

11 Q. Can you think of anything Ms. Ashbrook  
12 said that day?

13 A. No, other than just describing the tenants  
14 that lived there and that they may have a pet that was  
15 inside the home at the time, which we were attempting to  
16 locate.

17 Q. Tell me the process of this particular  
18 time when you served the warrant. Did you physically take  
19 Mr. Kelsey in custody that day?

20 A. Yes, sir.

21 Q. And you transported him to the jail?

22 A. Yes, sir.

23 Q. Did Ms. Ashbrook follow?

24 A. I don't believe so.

25 Q. So she understood you were removing him

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 from residence.

2 A. Yes, sir.

3 Q. Back to the day where we saw the video,  
4 you said that you had seen her sliding up and down the  
5 wall?

6 A. Not up and down. At one point or another  
7 she did slide down the wall when she was upset. I believe  
8 she was on the phone.

9 Q. On her phone?

10 A. Yes.

11 Q. Do you know who she was calling?

12 A. No.

13 Q. Did at any time during this particular  
14 incident on May 11th, 2023, at this courthouse did you  
15 ever hear her curse?

16 A. Not to my knowledge.

17 Q. Not in your presence.

18 A. Not in my presence.

19 Q. Did she ever say anything about Mr. Kelsey  
20 being arrested, it was a wrongful arrest or more  
21 harassment, anything like that?

22 A. Not that I recall. I'm trying to remember  
23 as far as what was said out in the hallway area. Like I  
24 said, I know she was upset, but I don't remember anything  
25 being brought up as far as Steven other than her asking why

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693



1 he was being arrested and if she could bond him out, I  
2 believe.

3 Q. Okay. You classified her as being upset.  
4 What was it about what she was doing or saying that led  
5 you to that conclusion?

6 A. Her body behavior as far as how she was  
7 acting going up and down the hallway -- or going down the  
8 hallway. She did have -- her voice was raised. I can't  
9 remember for a fact if there was any actual yelling or if  
10 she was just -- if it was raised. I mean, I know she was  
11 not speaking in a normal tone.

12 Q. You've been upstairs many times, correct?

13 A. Yes, sir.

14 Q. And business that's going on in the  
15 Sessions Court is often conducted out in the hallway. Is  
16 that correct?

17 A. At times.

18 Q. Lawyers talk to their clients?

19 A. Yes, sir.

20 Q. Sometimes there's law enforcement  
21 interaction out there?

22 A. Yes, sir.

23 Q. Lawyers talking to law enforcement  
24 officers?

25 A. Yes, sir.

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 Q. Who asked you to transport Ms. Ashbrook?

2 A. I believe it was Deputy Crowe.

3 Q. And that was while you were up here?

4 A. Yes. We were discussing who would bring  
5 her down to the jail, I believe.

6 Q. And you transported her, correct?

7 A. Yes, sir.

8 Q. And you were nice to her.

9 A. Yes, sir.

10 Q. You certainly didn't injure her.

11 A. No, sir.

12 Q. You indicated that she wasn't completely  
13 cooperative during the transport --

14 A. As I said before, from memory I believe at  
15 one point or another she did sit down at the floor rather  
16 quickly and she was sitting there crying and arguing, but  
17 like I said I -- at that point in time I did grab her by  
18 the arm and was talking to her and told her she needed to  
19 stand up, that we needed to go ahead and just get it over  
20 with.

21 Q. Was she handcuffed at that time?

22 A. Yes.

23 Q. So when she went down to the floor she  
24 was already handcuffed?

25 A. Yes.

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 Q. She was crying she was handcuffed?

2 A. Yes.

3 Q. And her sitting down on the floor that  
4 wasn't anything you asked her to do.

5 A. No.

6 Q. You wanted her to stand up so you could  
7 transport her.

8 A. Yes, sir.

9 Q. Can you think of any other interactions  
10 you've had with either Mr. Kelsey or Ms. Ashbrook?

11 A. None right offhand. Like I said, really  
12 it's just those incidences where I've spoken with them  
13 other than outside the jail.

14 Q. I think you indicated to Mr. Chancey that  
15 you left Decatur in February this year?

16 A. Yes.

17 Q. 2024?

18 A. Yes, sir.

19 Q. Oh, the day of this incident were you in  
20 a position to observe Mr. Kelsey as to whether or not he  
21 was under the influence?

22 A. No, sir.

23 Q. What about her, could she have been under  
24 the influence?

25 A. It's possible. Like I said, if I had had

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 time to observe her more I could give you a better answer.  
2 But, like I said, it wasn't shortly after she entered the  
3 hallway area that it was ordered for her to be given a drug  
4 test.

5 Q. When you say it's possible, what was she  
6 doing that made you think maybe it's possible that she was  
7 under the influence?

8 A. Past experience of dealing with her. It's  
9 one of those ordeals where I wouldn't have been surprised  
10 if you'd say that she was messed up on something.

11 Q. Was she messed up in either of the two  
12 occasions that you talked to her before?

13 A. I don't know. Like I said, my dealings  
14 with her was strictly her being another person at the  
15 scene.

16 Q. Is it fair to say that at the time of  
17 this incident when she was in the hallway she was not  
18 acting normally?

19 A. Yes, sir.

20 Q. It's fair to say that?

21 A. Yes, sir.

22 MR. KNIGHT: That's all I have.

23 EXAMINATION

24 BY MR. ROGERS:

25 Q. Mr. Whiting, I'm Matthew Rogers.

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 A. Yes, sir.

2 Q. Good to see you here this morning, or  
3 maybe it's afternoon now. When you arrived at the  
4 courthouse, we watched that on video, that was the first  
5 interaction you had with Ms. Ashbrook on May 11. Is that  
6 correct?

7 A. I believe so.

8 Q. That day because you've told us about  
9 your previous experience.

10 A. Yes, sir.

11 Q. You didn't observe her for more than  
12 several minutes before you were in charge of transporting  
13 her.

14 A. Yes, sir.

15 Q. So you didn't have an opportunity to  
16 conduct any field sobriety testing --

17 A. No, sir.

18 Q. -- or anything other than those brief  
19 observations. Is that correct?

20 A. That's correct.

21 Q. And you said that you believed based on  
22 memory that when you passed the metal detectors there, you  
23 talked to us about it, you think you heard Judge Stokes  
24 order her to be drug tested?

25 A. Yes, sir.

**CLEVELAND REPORTING COMPANY**

1 Q. Do you remember what words were used that  
2 particular time? Was it drug test her, or, yes, she's the  
3 one, or anything to that effect?

4 A. I can't remember word for word, but I do  
5 recall there being something said along the line of drug  
6 test that woman, I believe.

7 Q. Okay. Could it have been test her or  
8 check her out?

9 A. Something to that degree.

10 Q. Could have been any number of things?

11 A. Yes, sir.

12 Q. And do you know, and maybe you don't have  
13 any foundation for this, but do you know whether when  
14 Mr. Kelsey was tested it was at the direction of Judge  
15 Stokes or not?

16 A. I would assume so.

17 Q. Do you know whether or not Judge Stokes  
18 indicated to law enforcement that those two need to be  
19 checked out or tested?

20 A. I wasn't up there at the time of that.  
21 I believe at one point or another there was an incident  
22 inside the courtroom, but I don't know.

23 Q. Have you talked to Ben Christian, the  
24 county deputy, about this specific incident?

25 A. No, sir.

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 Q. Okay.

2 A. Not to my memory. We've not spoken since  
3 that day, I believe.

4 Q. Okay. In Ms. Ashbrook's complaint it  
5 alleged Mr. Christian was the one that pulled her up off  
6 the ground by the arm, but you indicate to us here today  
7 that that was you --

8 A. Yes, sir.

9 Q. -- that was appropriately touching her and  
10 saying, Hey, come on, we've just got to get this over with?

11 A. Yes, sir. To my memory, I believe Ben  
12 Christian was the one that transported him to the jail. I  
13 think he was still standing outside with Mr. Kelsey when I  
14 arrived.

15 Q. Okay. And so he wouldn't have had an  
16 opportunity to pick her up after she had been --

17 A. No, sir.

18 Q. -- in handcuffs. Is that correct?

19 A. That's correct.

20 Q. And at no point in time during the year  
21 2023 did you work for the county, Meigs County.

22 A. No, sir.

23 Q. Just the city.

24 A. That's correct.

25 Q. But you're still a resident here in

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693

1 Meigs County.

2 A. That's correct.

3 Q. You weren't present for Mr. Kelsey's drug  
4 test sample. Is that correct?

5 A. That's correct. I arrived shortly after  
6 I believe it was conducted. I can't remember the time on  
7 the video feed, but I know that they were already down  
8 there conducting it when I arrived.

9 Q. From the time that you heard whatever  
10 direction or confirmation that Ms. Ashbrook was to be  
11 tested did she indicate to you that she was refusing to be  
12 tested or did she submit to the test?

13 A. She did submit to the test. She didn't --  
14 from memory it doesn't seem that she knew why she was  
15 being tested. Again, she was using some, if I remember  
16 correctly, she was using vulgarity, but it may have been  
17 BS that this was happening. I can't remember in detail as  
18 far as what was being said.

19 Q. Okay. Did it surprise you that she was  
20 positive for amphetamines?

21 A. No, sir.

22 Q. In your experience as a law enforcement  
23 officer you've arrested actually her boyfriend before --

24 A. Yes, sir.

25 Q. -- for methamphetamine violations?

**CLEVELAND REPORTING COMPANY**



1 A. Something along that line, I believe.

2 Q. Do you remember specifically what she  
3 told you happened when you were transporting her to the  
4 jail?

5 A. She just kept saying that she didn't  
6 understand why it was happening to her, that she was there  
7 in support of her boyfriend whom I had arrested and she  
8 didn't know why she was being arrested and why she was  
9 being drug tested.

10 Q. And you were kind to her during this  
11 transport, right?

12 A. Yes, sir.

13 Q. Even suggested she find a lawyer if she  
14 disagreed, right?

15 A. Yes, sir.

16 Q. Did she object to the results of the test  
17 or just to the fact that she was being tested?

18 A. I believe to the fact that she was being  
19 tested.

20 Q. She never said, There's no way that I  
21 tested positive for that, I don't do drugs?

22 A. Not from memory.

23 Q. Okay. And you were kind and cordial and  
24 professional with her even though you've had other  
25 incidences where she would curse you and disagree with you.

**CLEVELAND REPORTING COMPANY**

P.O. BOX 693